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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEON MERCED, an individual; SERTHA
EVANS, an individual; and each of them on
behalf of all others similarly situated,

Plaintiff,

vs.

NEVADA PROPERTY 1, LLC d/b/a THE
COSMOPOLITAN LAS VEGAS; DOES I
through V, inclusive; and ROE
CORPORATIONS I through V, inclusive,

Defendants.

Case No.: 2:20-cv-00920-RFB-VCF

**STIPULATION AND PROPOSED
ORDER TO STAY CASE PENDING
MEDIATION**

Plaintiffs Deon Merced and Sertha Evans (hereinafter “Plaintiffs”), by and through their attorneys of record, the law firm MAIER GUTIERREZ & ASSOCIATES and Defendant Nevada Property 1, LLC d/b/a The Cosmopolitan Las Vegas (“Defendant”), by and through its attorneys of record, JACKSON LEWIS P.C., hereby stipulate and request an order staying all proceedings and discovery in this matter pending mediation.

The parties have agreed to engage in a mediation of all claims presented in Plaintiffs’ Complaint. The parties believe that the mediation has a high chance of success, and in an effort to be as efficient as possible, in terms of both time and expenses, would like to refrain from conducting

expensive and time-consuming discovery while the mediation is pending.

The parties have identified potential mediators and will be conducting the mediation on or before November 20, 2020. If the mediation is successful, the case will be resolved in its entirety. However, even if the case does settle, given the nature of Plaintiffs' claims and the legal requirements for court approval of settlements in Fair Labor Standards Act ("FLSA") cases, the parties will still require some intervention of the Court. Accordingly, the parties propose the following:

This matter be stayed in its entirety until November 27, 2020. On or before November 27, 2020, the parties will submit a joint status report to the Court indicating the result of the mediation and either proposing a discovery plan and scheduling order or a schedule for approval of the settlement.

This is the parties' first request for a stay in this matter and is made in good faith and not for the purpose of delay. As a trial date has not yet been set in this case, the trial will not be postponed due to the requested stay.

Based on the foregoing, the parties respectfully request that the Court enter an order granting the parties requested relief.

DATED this 16th day of September 2020.

MAIER GUTIERREZ & ASSOCIATES

/s/ Joseph N. Mott

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DATED this 16th day of September 2020.

JACKSON LEWIS P.C.

/s/ Lisa A. McClane

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Merced, et al. v. Nevada Property 1, LLC d/b/a/ The Cosmopolitan Las Vegas, et al.
United States District Court, District of Nevada; Case No. 2:20-cv-00920-RFB-VCF

ORDER

IT IS HEREBY ORDERED this matter is stayed in its entirety until November 27, 2020.

IT IS FURTHER ORDERED the parties will submit to the Court a joint status report on or before November 27, 2020. The status report will include the results of the parties' mediation efforts and propose a schedule for the case to proceed either with discovery or the settlement approval process.

DATED this 21st day of September 2020.



UNITED STATES DISTRICT JUDGE